

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ABDELAZIZ BENNOUR
A# 73-626-402 (prose)
petitioner

v.

C.A. NO. 04-12149-MLW

Bruce CHADBOURNE, et al.,
Respondents.

MOTION FOR APPOINTMENT OF PRO BONO
COUNSEL.

Now comes ABDELAZIZ BENNOUR, the pro-se
litigant in the above-referenced civil action
regarding his EMERGENCY WITHHOLDING OF REMOV-
AL / STAY of deportation, from the UNITED STATES,
who HUMBLY AND RESPECTFULLY MOVES THIS HONOR-
ABLE COURT, in the deliberation of this case, to
CONSIDER APPOINTING STAND-BY COUNSEL (OR ANY
OTHER TYPE OF REPRESENTATION AS THE HONORABLE COURT
MAY DEEM NECESSARY) TO PROVIDE URGENTLY REQUIR-
ED LEGAL ASSISTANCE TO ~~the~~ THE MOVANT IN RELATION
TO THE FOLLOWING PLEADING CURRENTLY BEFORE THIS
HONORABLE COURT, to be able to argue his due
PROCESS CLAIM.

PRACTICAL CONSIDERATION PROMPTED FIRSTLY by the warning that "He who represents himself for a client or counsel in court of law is a fool", and secondly by the caveat stated by the authors of the "PRISONERS SELF-HELP LITIGATION MANUAL" CONCERNING THE MOVANT OF THE NEEDS TO CONTINUE MAKING ATTEMPTS TO SECURE SUITABLY QUALIFIED LEGAL REPRESENTATION.

"We recommend that all pro se litigants seek APPOINTMENT OF COUNSEL... even if you [feel] that you [I] are not 'incompetent' and think that you know the law pretty well, a lawyer can generally do a better job than a prisoner of conducting discoveries (especially deposition), negotiation, ASSERTMENT OF MERITORIOUS CLAIMS and performing the other difficult tasks of litigation, by virtue of experience, and of not being locked up in [the respondent's] custody.

For further consideration by this honorable court, the movant hereby states the following factors in support of this motion:

- 1) To the qualified counsel can explain the applicable legal principals to the movant and assist litigation to satisfactorily conclude issues. In addition, appointment of a lawyer provides the unrepresented inmate with an opportunity to obtain a pro se letter, adequately qualified with the professional counsel usually provided by the federal government.

For The Respondent.

(See *IN re HIGGINS V. WATKINS*, 616 F.2d 795, 799 (5th Cir 1985)).

- 2) The petitioner is not literate in English and doesn't understand the Law at all.
- 3) The petitioner has already, without success, to obtain pro bono legal representation from some of the advocacy groups participating in United States Immigration and Naturalization Service's Pro Bono Program.
- 4) The petitioner is nearly illiterate and not gainfully employed. Therefore the petitioner's ability to effectively present his case is severely limited, this emphasizes the extent to which the Manual requires assistance in presenting relevant facts of the two petitions mentioned above requesting review.
- 5) The petitioner is extremely at need of protection because his issues, raise legal, procedural, administrative and constitutional issues of substance.

Wherefore the petitioner humbly and respectfully moves this Honorable Court to appoint the Pro Bono Counsel to assist him, and review the matter.

Please note that the petitioner is in need
of a interpreter who speak ALGERIAN speaking.

Thank you in anticipation of your FWD

Respectfully Submitted

2004-10-20-04

ABDULLAH BENI
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Suffolk County, N.Y.
22 Main Street, St.
Parker, NY 1118

Served to on this 20 day of Oct, in the year
of 2004, to the Plaintiff in the sum of
forty five (45)